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PATENT & TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application		PATENT APPLICATION	
Inventor(s):	Mark Spotswood		
Appln. No.:	10/777,361	Art Unit:	2122
Confirm. No.:	5070	Examiner:	Unassigned
Filed:	February 12, 2004		
Title:	SYSTEM AND METHOD FOR USING A CLASSLOADER HIERARCHY TO LOAD SOFTWARE APPLICATIONS	**Customer No. 23910**	

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on September 7, 2004.

(Attorney Signature)

Karl F. Kenna, Reg. No. 45,445
Signature Date: September 7, 2004

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

✓ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.

✓ The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/idswouscopies.htm, copies of cited U.S. patents and publications are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as still required, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an

Information Disclosure Statement submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

___ The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed, except for those items designated by an asterisk (*), which were previously submitted by the applicant in a parent application, from which benefit under 35 U.S.C. §120 is claimed, with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), as allowed under 37 C.F.R. §1.98(d)(1).

___ If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

✓ A copy of the International Search Report dated August 18, 2004 is enclosed.

✓ ***PTA Statement under 37 C.F.R. §1.704(d).*** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement.*

This statement should be considered because:

✓ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

(1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);

-- OR --

(2) It is being filed within 3 months of entry of a national stage;

-- OR --

(3) It is being filed before the mailing date of the first Office Action on the merits,

-- OR --

(4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

___ **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:

(1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND *(check at least one of the following)* --

___ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).
-- OR --

___ (2) It is accompanied by the $180 fee set forth in 37 C.F.R. §1.17(p).

_ **37 C.F.R. §1.97(d)**. Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

(1) It is being filed on or before payment of the Issue Fee;
-- AND --

(2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);
-- AND --

(3) It is accompanied by the $180 fee set forth in 37 C.F.R. §1.17(p).

✓ ***Fee Authorization.*** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER MEYER LLP

Date: September 7, 2004 By: _____

Karl F. Kenna
Reg. No. 45,445

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone (415) 362-3800

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Form PTO-1449 (Substitute) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number BEAS-01312US1	Serial/Patent Number 10/777,361
Information Disclosure Statement **BY APPLICANT** *(Use several sheets if necessary)*	Applicant/Patent Owner Mark Spotswood	
	Filing/Issue Date February 12, 2004	Group Art Unit 2122

U.S. PATENTS

Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	1	6,470,494	10/22/02	Chan et al.	717	166	11/29/99

U.S. PATENT PUBLICATIONS

Examiner Initial		Patent Application Publication Number	Publication Date	Applicant
	2	2002/0147971	10/10/02	Adams
	3	2003/0177484	09/18/03	Bosschaert et al.
	4	2004/0015936	01/22/04	Susarla et al.
	5	2004/0019897	1/29/04	Taylor et al.
	6	2004/0143826	7/22/04	Gissel et al.

PENDING U.S. PATENT APPLICATIONS

Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes	No

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Translation Yes	No

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

	7	Liang and Bracha, "Dynamic Class Loading in the Java Virtual Machine", 1998, ACM, OOPSLA '98, pp. 36-44
	8	Sing, Stearns, Johnson et al., "Designing Enterprise Applications with the J2EE Platform, Second Edition", Sun Microsystems, Archived 12. 2002 online at <http://web.archive.org/web/20021227055218/http://java.sun.com/blueprints/guidelines/designing_enterprise_applications_2e/deployment/deployment5.html>

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)		
	9	"Writing Web Application Deployment Descriptors", BEA, archived on 24 July 2001 at <http://web.archive.org/web/20010724132221/http://e-docs.bea.com/wls/docs61/webapp/webappdeployment.html>
	10	Grosso, W., "Java RMI", Oct. 2001 (10.2001), O'Reilly & Associates, ISBN 1-56592-452-5, Chapter 19.

Examiner	Date Considered

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN __/_____, filed _____, 20___, relied on under 35 USC §120.
*2 = Copy not submitted because it was submitted in prior application SN __/_____, filed _____, 20___, relied on under 35 USC §120.